



Chhattisgarh State Electricity Regulatory Commission

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Petition No. 20/2009(M)

Chhattisgarh State Power Distribution Co. Ltd. **Petitioner**
Vs
Urla Industrial Association & 3 others **Respondents**

Order in order sheet dated 25.06.09

Shri Arun Bhatnagar, SE for petitioner. Shri C.P.Sharma for Urla Industries Association, Shri S.N.Bhattacharya and Shri S.P. Naik for respondent Jayaswals Neco Industries Ltd. and Shri Prashanto Sen, Advocate for BALCO.

2. Shri Prashanto Sen wants time for submission of his reply since he requires some documents relating to the original petition. Time is granted.

3. The petitioner has drawn our attention towards some practical difficulties in the implementation of the impugned order passed in petition No. 39 of 2006(M). According to the petitioner as per the modalities prescribed in the order, some factual parameters required to be considered every month for calculating the parallel operation charges leviable on each individual CPP. These are (i) auxiliary consumption of CPP, (ii) power supplied by CPP to CSPDCL, (iii) power supplied by CPP to others within the State under open access, and (iv) power supplied by CPPs to outside State under open access. Each CPP has to provide these data to the petitioner to enable it to compute parallel operation charges. The petitioner has also filed a statement indicating how the parallel operation charges will be arrived, for individual CPP (annexure A) and pleads that the requisite data could be collected from the concerned after persuasion over some time. The petitioner contends that there are certain issues which need to be clarified by the Commission before the order may be implemented. It is because of such difficulties that the impugned order could not be implemented by the petitioner so far.

4. Respondents Urla Industries Association and Jayaswals Neco Industries Ltd. have opposed the contention of the petitioner and request the Commission to initiate proceedings against the petitioner for non implementation of its order dated 31.12.2008.

5. It is to be noted that this was the very first effort by any State Commission in the country to undertake a detailed study on parallel operation charges through an expert agency. There may be some difficulties in the implementation of the order which could be expected. We would like to hear the detailed arguments of both the parties before reaching any conclusion. Looking to the difficulties pointed out by the petitioner, the balance of convenience lies in staying the implementation of the impugned order dated 31.12.2008. We accordingly stay the order till the disposal of

this case. Parallel operation charges shall continue to be levied as per the earlier orders of the Commission on the subject.

6. The case is fixed for hearing on 13.08.2009 at 11:00am”.

**Sd/-
Member**

**Sd/-
Chairman**